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Attorneys for Ruby Duncan, Eva Northern,
and Class Plaintiffs Only

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREATER NAPA FAIR HOUSING
CENTER, a California Not for Profit
Corporation, doing business as FAIR
HOUSING NAPA VALLEY, as an
individual entity only; et al.,

Plaintiffs,

v.

HARVEST REDWOOD RETIREMENT
RESIDENCE, L.L.C., doing business as
Redwood Retirement Residence; et al.,

Defendants.

No. C 07 3652 PJH

STIPULATION AND ORDER
SUBSTITUTING PARTY (FRCP 25(a))

The parties to this action, through their respective attorneys of record, stipulate and agree
as follows:

(1) Ruby Duncan is no longer a party to this action by reason of death. Ms. Duncan

1 passed away on July 11, 2007.

2 (2) Mae Louise Whitaker, who is both the executor of Ruby Duncan's estate and her
3 daughter, and, prior to Ms. Duncan's death was her guardian ad litem, is substituted as a party to
4 this action in place of Ms. Duncan.

5 (3) Mae Louise Whitaker seeks to serve as putative plaintiff and class representative.

6 (4) By signing this stipulation, Defendants do not concede any matter related to the
7 merits of class certification, or to Ms. Whitaker's standing to seek equitable relief. Defendants
8 also affirmatively preserve objections to Mae Louise Whitaker serving as a class representative
9 and assert that she fails the tests of commonality, typicality, and adequacy.

10 Respectfully Submitted,


11 DATED: ^{October} September 3, 2007

BRANCART & BRANCART
PROTECTION & ADVOCACY, INC.

14 By: 
15 LIZA CRISTOL-DEMAN
16 BRANCART & BRANCART
Attorneys for Plaintiffs

17 DATED: September 27, 2007

HANSON BRIDGETT MARCUS
VLAHOS & RUDY, LLP

19 By: 
20 KURT A. FRANKLIN
21 SARAH D. MOTT
22 Attorneys for Defendants
23 HARVEST REDWOOD RETIREMENT
24 RESIDENCE, L.L.C., doing business as
25 Redwood Retirement Residence,
26 RETIREMENT RESIDENCE, L.L.C.;
27 and HOLIDAY RETIREMENT CORP.

[~~PROPOSED~~] ORDER

Based on the stipulation of the parties to this matter, and good cause appearing therefore, the Court hereby orders that Mae Louise Whitaker shall be substituted for deceased plaintiff Ruby Duncan.

IT IS SO ORDERED.

Dated: October 9 ____, 2007

